

11/13/01

PTO/SB/05 (11-00)

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11-26001

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| | | |
|--|------------------------|---|
| UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b)) | Attorney Docket No. | 337562000901 |
| | First Inventor | James D. RALPH |
| | Title | POLYAXIAL PEDICLE SCREW HAVING A THREADED AND TAPERED COMPRESSION LOCKING MECHANISM |
| | Express Mail Label No. | EL779890945US |

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Date of Deposit: November 13, 2001

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Tamara Alcaraz

U.S. PTO
09/992612

11/13/01

| APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i> | | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 | |
|--|-------------------------|--|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing) - 2 pages</i> | | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) | |
| 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | | 8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> | |
| 3. <input checked="" type="checkbox"/> Specification [Total Pages 16] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none">- Descriptive title of the invention- Cross Reference to Related Applications- Statement Regarding Fed sponsored R & D- Reference to sequence listing, a table, or a computer program listing appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure | | a. <input type="checkbox"/> Computer Readable Form (CRF) | |
| 4. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <input type="checkbox"/> | | b. Specification Sequence Listing on: <ul style="list-style-type: none">i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); orii. <input type="checkbox"/> paper | |
| 5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 2] <ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i><ul style="list-style-type: none">i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b) | | c. <input type="checkbox"/> Statements verifying identity of above copies | |
| 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 - 2 pages | | ACCOMPANYING APPLICATION PARTS | |
| | | 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) | |
| | | 10. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement <i>(where there is an assignee) - 1 page (copy)</i> | <input checked="" type="checkbox"/> Power of Attorney - 2 pages |
| | | 11. <input type="checkbox"/> English Translation document (if applicable) | |
| | | 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 | <input type="checkbox"/> Copies of IDS Citations |
| | | 13. <input checked="" type="checkbox"/> Preliminary Amendment - 6 pages | |
| | | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>Should be specifically itemized</i> | |
| | | 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> | |
| | | 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. | |
| | | 17. <input checked="" type="checkbox"/> Other <u>Reissue Application: Consent of Assignee; Statement of Non-Assignment - 1 page (copy)</u> | |
| 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: Prior application information: Examiner D. Reip Group / Art Unit: 3731 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. | | | |
| 19. CORRESPONDENCE ADDRESS | | | |
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | | or <input type="checkbox"/> Correspondence address below | |
| | |  25226 PATENT TRADEMARK OFFICE <i>(Insert Customer No. or Attach bar code label here)</i> | |
| Name | Morrison & Foerster LLP | | |
| Address | 755 Page Mill Road | | |
| City | Palo Alto | State | California |
| Country | | Zip Code | 94304-1018 |
| | Telephone | | Fax |
| Name (Print/Type) | Sanjay S. Bagade | Registration No. (Attorney/Agent) | 42,280 |
| Signature | [Signature] | | Date November 13, 2001 |

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**FEE TRANSMITTAL
FOR FY 2002**

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|----------------|
| Application Number | To Be Assigned |
| Filing Date | Herewith |
| First Named Inventor | James D. RALPH |
| Examiner Name | To Be Assigned |
| Group Art Unit | To Be Assigned |
| Attorney Docket No. | 33756200901 |

TOTAL AMOUNT OF PAYMENT**(\$)** 370.00**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **03-1952**

Deposit Account Name **Morrison & Foerster LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101 | 740 | 201 | 370 | Utility filing fee | 370 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1) **(\$)** 370.00**2. EXTRA CLAIM FEES**

| Total Claims | 12 | - 20** = | 0 | x | 9 | = | \$0 |
|--------------------|----|----------|---|---|-----|---|-----|
| Independent Claims | 3 | - 3** = | 0 | x | 42 | = | \$0 |
| Multiple Dependent | | | | | 140 | = | \$0 |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------|-----------------|----------------|-----------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claims, if not paid |
| 109 | 84 | 209 | 42 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) **(\$)** 370.00

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions of the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per properties (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)**(\$)** 0**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Sanjay S. Bagade

Registration No.
(Attorney/Agent)

42,280

Telephone

(650) 813-5720

Signature

Sanjay S. Bagade

Date

November 13, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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